

UNITED STATES DISTRICT COURT
District of New Mexico

UNITED STATES OF AMERICA
V.

Fabian Abel Garcia

Judgment in a Criminal Case
(For Revocation of Probation or Supervised Release)

Case Number: **1:12CR01242-001JB**
USM Number: **66863-051**
Defendant's Attorney: **Dan Tallon, Appointed**

THE DEFENDANT:

- admitted guilt to violations of condition(s) **Mandatory, Special** of the term of supervision.
- was found in violation of condition(s) after denial of guilt.

The defendant is adjudicated guilty of these violations:

| <i>Violation Number</i> | <i>Nature of Violation</i> | <i>Violation Ended</i> |
|-------------------------|----------------------------------------------------------------------------------|------------------------|
| Mandatory Condition | The defendant failed to refrain from any unlawful use of a controlled substance. | 09/19/2016 |

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has not violated condition(s) and is discharged as to such violation(s).

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

9549

Last Four Digits of Defendant's Soc. Sec. No.

January 3, 2017

Date of Imposition of Judgment

1963

Defendant's Year of Birth

/s/ James O. Browning

Signature of Judge

Albuquerque, NM

City and State of Defendant's Residence

Honorable James O. Browning
United States District Judge

Name and Title of Judge

January 18, 2017

Date

DEFENDANT: **Fabian Abel Garcia**
CASE NUMBER: **1:12CR01242-001JB**

ADDITIONAL VIOLATIONS

| <i>Violation Number</i> | <i>Nature of Violation</i> | <i>Violation Ended</i> |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Special Condition | The defendant failed to reside at and complete a program at a Residential Reentry Center approved by the probation officer for a period of 6 months. | 09/22/2016 |

DEFENDANT: **Fabian Abel Garcia**
CASE NUMBER: **1:12CR01242-001JB**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **6 months.**

A term of supervised release will not be reimposed.

Although advisory, the Court has considered the Guidelines and, in arriving at its sentence, has taken account of the Guidelines with other sentencing goals. Specifically, the Court has considered the Guidelines' sentencing range established for the applicable category of offense committed by the applicable category of Defendant. The Court believes that the Guidelines' punishment is appropriate for this sort of offense. Therefore, the sentence in this judgment is consistent with a guideline sentence. The Court has considered the kind of sentence and range established by the Guidelines. The Court believes that a sentence of 6 months reflects the seriousness of the offense, promotes respect for the law, provides just punishment, affords adequate deterrence, protects the public, avoids unwarranted sentencing disparities among similarly situated defendants, effectively provides the Defendant with needed education or vocational training and medical care, and otherwise fully reflects each of the factors embodied in 18 U.S.C. Section 3553(a). The Court also believes the sentence is reasonable. The Court believes the sentence is sufficient, but not greater than necessary, to comply with the purposes set forth in the Sentencing Reform Act.

The court makes the following recommendations to the Bureau of Prisons:

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
 - at on .
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 2 p.m. on .
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

